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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of

Ramesh NAGARAJAN et al.

Application No.: 09/488,572

Filed: January 21, 2000   Docket No.: 104422

For: DATA PROCESSING METHODS AND DEVICES FOR SEGMENTATION OF AN IMAGE

REPLY BRIEF

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Technology Center 2600

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

The following remarks are directed to arguments raised in the Examiner's Answer

dated October 28, 2003.

REMARKS

On page 5, the Examiner's Answer argues that when a user chooses a mode from one

of m modes designated by the variable N(i) in steps 188-1, 188-2, ...188-M, as shown in Fig.

5 and described in col. 9, lines 25-44 of Robinson, the choice of the mode N(i) from one of m

modes is not a choice of a segmentation mode. The Examiner's Answer asserts that step 184

of Fig. 5 designates the selection of a segmentation mode.

In response to this statement, Applicant respectfully submits that step 184 of Fig. 5 is

simply the step of a user selecting a segmentation icon for segmentation. Once segmentation

is selected, a segmentation mode is then selected from N(1)-N(m) segmentation modes. (See

Fig. 5 of Robinson steps 188-1 through 188-M. These various segmentation modes are

designated by the variable N(i). For example, the Screen mode is designated as N(1), the

Threshold mode as N(2) (column 9, lines 25-31 of Robinson). Column 8, lines 5-10 of

Robinson states that a user may wish to use a segmentation mode other than the full mode, and that the user can choose one of the "Screen" or "Threshold" modes as a segmentation mode other than the full mode. Therefore, the Screen mode N(1), the Threshold mode N(2) and any other mode N(i) chosen by the user in steps 188-1, 188-2, …188-M are all segmentation modes.

The Final Office Action mischaracterized, and the Examiner's Answer continues to mischaracterize, step 184 as selection of a segmentation mode. Applicants' argument is that steps 188-1 through 188-M comprise selection of a segmentation mode once segmentation has been selected by the user in step 184.

On pages 5-6, the Examiner's Answer asserts that Applicant made an illogical argument when Applicant argued that changing the variable N(i) changes <u>only</u> the selected segmentation mode, and does not result in any of the predetermined parameter values in any of the m look-up tables corresponding to the selected mode being changed in any way from their predetermined set values. This assertion overlooks the language of claim 1, which recites, in part: determining, if the selected segmentation mode is the automatic mode, whether a user wishes <u>to change at least one automatic segmentation parameter of the selected mode</u>. Applicant submits that the previous argument was logical and necessary, as N(i) designates a selected segmentation mode, as described above, and as a particular segmentation mode is chosen, parameters corresponding to the segmentation mode, stored in one of the look-up tables, are downloaded to segmentation control 180 of Fig. 1 (Fig 5., step 190, and column 9, lines 33-36). Hence, Robinson describes only choosing a particular segmentation mode, but fails to describe, teach, or suggest changing at least one automatic segmentation parameter of the selected mode, as claimed.

According to the present invention, automatic segmentation parameters are stored in memory that can be changed by the user. Robinson, however, does not have automatic segmentation parameters which can be changed.

The Examiner's Answer, in the paragraph bridging pages 7 and 8 alleges that "the various options or modes" presented in the segmentation dialog screen are the parameters for the segmentation mode selected by the operator in step 184. Applicant respectfully disagrees with this conclusion and believes that it is improperly based on speculation. All that is presented by the Examiner's Answer in this regard is an assumption that step 184 presents various segmentation modes to the user, and that the user selects one of the segmentation modes at step 184. This assumption is contrary to the teaching of Robinson. Step 184 of Fig. 5 of Robinson is the step of a user selecting a segmentation icon so that various segmentation modes, N(i), are presented to the user in step 186 and then selected in steps 188-1 through 188-M (column 9, lines 25-27 of Robinson). Thus, Robinson teaches away from the assumption made by the Examiner's Answer that step 184 designates the selection of a segmentation mode.
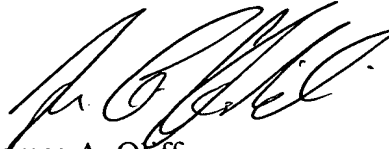
At page 11, the Examiner's Answer concludes that Robinson teaches altering, if at least one new automatic segmentation parameter value is input, at least one other automatic segmentation parameter value, as recited in claim 2. In support of this conclusion, the Examiner's Answer merely points to step 200 of Figure 5, wherein a new value of N(i) is selected. However, as stated above, N(i) is the designation of a segmentation mode, and does not designate a parameter within a segmentation mode, as asserted by the Examiner's Answer. Therefore, Robinson does not teach the additional features recited in claim 2.

For the aforementioned reasons, Applicant respectfully submits that the rejection of claims 1-5 is improper and should be reversed.

CONCLUSION

The Honorable Board is requested to reverse the rejections set forth in the Final

Rejection and direct the Examiner to pass this application to issue.

Respectfully submitted,

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